

RECEIVED  
CENTRAL FAX CENTER

JUL 13 2006

REMARKS

Claims 1-25 are currently pending, with claims 1, 13 and 25 being in independent form. Claims 1, 13 and 25 have been amended. Support for the amendment to claims 1, 13 and 25 may be found, for example, at pg. 10, lines 15-32 of the originally filed specification. No new matter has been added. Reconsideration of the application, as amended, is respectfully requested.

In the Office Action dated March 13, 2006, independent claims 1, 13 and 25, and dependent claims 2-4, 7-9, 14-16, and 19-21 were rejected under 35 U.S.C. §102(e) as anticipated by U.S. Patent No. 6,801,521 ("*Shaffer*"), while dependent claims 5, 6, 10-12, 17, 18 and 22-24 were rejected under 35 U.S.C. §103(a) as unpatentable over *Shaffer* in view of U.S. Patent No. 6,584,093 ("*Salama*"). For the following reasons, reconsideration and withdrawal of the rejections are respectfully requested.

Independent method claim 1 has been amended to clarify that control signaling between two end-points is performed in a routing means, where the control signaling is specifically for separate audio, video and data streams forming a multimedia stream transferred between the end-points each located in a network system, the separate audio, video and data streams each forming a separate media component. Support for the amendment to claim 1 may be found for example, at pg. 10, line 15-32 of the originally filed application. No new matter has been added.

The Office Action (pg. 12) states:

*Shaffer* teaches enabling ... the specific user of the IP network and also transmission of data, audio, video control into message for output for separate multimedia streams.

However, Applicant respectfully asserts that *Shaffer* fails to teach the method recited in amended independent method claim 1. It is apparent the Examiner considers call signals and audio files to be separate media components associated with a call. However, *Shaffer* (col. 3, lines 9-67) teaches that the H.225 protocol is used for establishing connection between H.323 terminals, and that the H.225 protocol is also used to format transmitted video, audio, data and control streams into messages for transport over IP network.

Moreover, in particular, *Shaffer* relates to distributed call signaling in telephony-over-LAN networks (see col. 1, lines 9-11). *Shaffer* (col. 1, lines 52-55) generally teaches a

telecommunication system in which particular devices are configured to block call signal tones and/or generate the call signal tones locally.

*Shaffer* (col. 5, lines 26-29) teaches that when a user initiates a call from an H.323 terminal (102a or 102b) within a packet switched network to a party outside the network, the call set-up request is provided to an H.323 gateway 106. *Shaffer* (col. 5, lines 33-35) further teaches that the gateway receives the call setup information and, in a conventional manner, dials the called party over the public switched telephone network (PSTN).

*Shaffer* (col. 5, lines 35-38) teaches that the H.323 terminal 102, which initiated the call, begins monitoring for call progress signals, such as busy signals or ringback signals, which are provided from the gateway 106. *Shaffer* (col. 5, lines 38-43) states, "the H.323 terminal 102 compares the incoming call progress signals to its stored database of signals. More particularly, [a] control processor's pattern recognizer 806 receives the call progress signals and accesses [a] memory 800 for a corresponding match". *Shaffer* (col. 5, lines 43-45) further states, "if the call progress signals are recognized, then ... the H.323 terminal 102 determines whether the received signal is a busy signal".

*Shaffer* (col. 5, lines 46-48) then states, "if the signal is a busy signal, then the H.323 terminal sends a known disconnect message to the gateway 106. *Shaffer* (col. 5, lines 48-50) also teaches that the H.323 terminal 102 (i.e., the control processor) also accesses its audio files from the memory when a client accesses an audio file. *Shaffer* (col. 5, lines 50-54) teaches that the corresponding audio file is then locally played back via the H.323 terminal's audio I/O, the call is finally disconnected by the gateway and playback of the audio file is halted.

The foregoing passages of *Shaffer*, as cited by the Examiner in view of the features of the independent claims, are merely concerned with detecting call progress signals from an incoming data stream and generating corresponding audio signals from matching audio files.

In contrast, the claimed invention is concerned with handling separate media components, i.e. separate video, audio and data streams that may be routed via different paths, by a routing means and a control means such that separate connection control can be directed by the control means to the separate media components. Amended independent method claim 1 recites the step of "monitoring in a routing means control signaling between two end-points, [where] the

control signal [is] specifically for separate audio, video and data streams forming a multimedia stream transferred between the two end-points each located in a network system, the audio, video and data streams each forming a separate media component". *Shaffer* fails to teach this step pursuant to handling separate media components. In view of the foregoing, amended independent method claim 1 is patentable over *Shaffer* and thus, reconsideration and withdrawal of the rejection under 35 U.S.C. §102 are in order, and a notice to that effect is respectfully requested.

*Salama* discloses automatic inter-domain routing of calls in a network (see Abstract). *Salama* (col. 22, lines 21-23) teaches that a first terminal requests permission from its gatekeeper to call a second terminal in order to perform conventional call setup. *Salama* (col. 22, lines 24-25) teaches the gatekeeper directs the first terminal to connect to a first proxy. *Salama* (col. 22, lines 26-28) teaches the first proxy then receives the call and queries the gatekeeper on how to forward the call. *Salama* (col. 22, lines 28-29) further teaches that the gatekeeper instructs the first proxy to connect to a second proxy. *Salama* (col. 22, lines 29-32) teaches the second proxy receives the call and queries a gatekeeper of the second terminal on how to forward the call. Finally, the second proxy connects to the second terminal. *Salama* teaches that Q.931 and H.245 signaling for the call, as well as RTP streams, all pass through the first and second proxies. However, *Salama* fails to teach or suggest the monitoring step recited in amended independent method claim 1 and thus, fails to cure the deficiencies of *Shaffer*. Rather, *Salama* describes methods for call setup using gatekeepers and proxies. Consequently, independent method claim 1 is patentable over the combination of *Shaffer* and *Salama* and therefore, reconsideration and withdrawal of the rejections under 35 U.S.C. §103 are in order, and a notice to that effect is earnestly solicited.

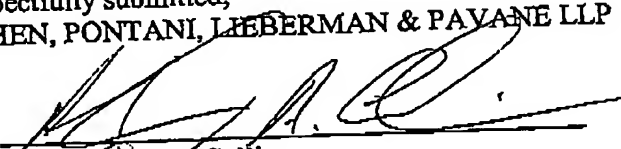
Independent claim 13 is directed to a network system and independent claim 25 is directed to a network element associated with the method of independent claim 1. Therefore, independent claims 13 and 25 are patentable over the combination of *Shaffer* and *Salama* for the reasons discussed above with respect to independent method claim 1.

In view of the patentability of independent claims 1, 13 and 25 for the reasons set forth above, dependent claims 2-12 and 14-24 are all patentable over the prior art.

Based on the foregoing amendments and remarks, this application is in condition for allowance. Early passage of this case to issue is respectfully requested.

Respectfully submitted,  
COHEN, PONTANI, LIEBERMAN & PAYANE LLP

By

  
Alphonso A. Collins  
Reg. No. 43,559  
551 Fifth Avenue, Suite 1210  
New York, New York 10176  
(212) 687-2770

Dated: July 13, 2006